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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-5-08

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September 02, 2008

Magistrate Judge Henry Pittman
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Lidle v. Cirrus et al.
Case No. 08-cv-01253-BSJ

Dear Magistrate Pittman:

*APPLICATION GRANTED***SO ORDERED**

Henry Pittman
HENRY PITMAN
UNITED STATES MAGISTRATE JUDGE

9-5-08

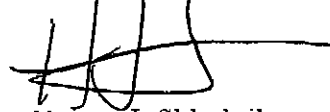
Plaintiffs write this letter in support of a request to extend the discovery cut off for 90 days in order to complete outstanding discovery which could not be complete by 12 September 2008, the present cut off date. Plaintiffs had requested that Cirrus agree to a 60 day extension and this was rejected since it would cause a conflict with defense counsel's trial schedule. Therefore, we proposed a 90 day extension to accommodate all parties. This proposal was also rejected by Cirrus.

As the Court may be aware this firm is co-counsel with Macaluso & Associates, APC., and we represent the Estates of former Yankee pitcher Cory Lidle and his flight instructor, Tyler Stanger, who were tragically killed when the Cirrus manufactured single engine plane, model SR20, which struck a high rise apartment building in Manhattan in October 2006. Both Mr. Lidle and Mr. Stanger were killed in the crash and ensuing fire. Plaintiffs allege that this accident was caused by a defect in the plane's flight control system.

Although both sides have aggressively been working to complete discovery in this matter in a timely fashion, it has become obvious that we cannot achieve this in the time set forth in the initial discovery order. Most recently both Mr. Macaluso and I have been in trial (Mr. Macaluso for the month of August in San Diego, Ca. and I in two cases back to back in Staten Island, NY and Gainesville, Fl). While in trial both of our offices worked diligently to continue moving the case along but many items of discovery could only be handled by me or Mr. Macaluso and discovery could not proceed.

At the present time there remains to be completed additional destructive testing of the wreckage component (there have been two sessions held already one in Delaware and the other in California), depositions of party witnesses, further document production which arose following defendants depositions and important non party witness depositions of FAA and other similar incident and notice witnesses.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'HJS', with a long horizontal line extending to the right.

Hunter J. Shkolnik

HJS:gp

cc: Patrick E. Bradley, Esq.
Todd Macaluso, Esq.